



U.S. Army Corps  
of Engineers  
Baltimore District

# Public Notice

In Reply Refer to CENAB-OP-R Special Public Notice 03-05

Date: April 14, 2003

## Public Information Workshop

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**TO WHOM IT MAY CONCERN:** The Baltimore District and the Pennsylvania Department of Environmental Protection will conduct a public information workshop in Harrisburg, Pennsylvania, on May 13, 2003 from 8:20 a.m. to 1:30 p.m. at the Rachel Carlson Building, second floor auditorium, 400 Market Street (at the corner of Market Street and 4th Street).

Topics to be discussed include:

1. PASPGP-2: Special Public Notice #03-02, dated March 11, 2003, published modifications to the Pennsylvania State Programmatic General Permit-2 (PASPGP-2). Activities waived at 25 Pa. Code 105.12(a)(1), (2), and, (14) will receive project specific review by the U.S. Army Corps of Engineers (Corps) to determine that no more than minimal adverse environmental impacts occur. Clarification of the PASPGP-2 and its Standard Operating Procedures are ongoing.
2. Waters of the U.S./Commonwealth: Special emphasis is placed on how the Corps defines jurisdiction in lieu of recent court decisions. The Pennsylvania Department of Environmental Protection (PADEP) regulates wetlands in the Commonwealth. Specific physical features are indicative of jurisdictional waterways for the Corps and the PADEP.
3. Jurisdictional Determinations: The identification and location of jurisdictional Waters of the U.S., including jurisdictional wetlands, regulated by the Corps under Section 404 of the Clean Water Act of 1977, is physically determined through a process known as a jurisdictional determination (JD). Understanding the background and process of conducting a JD is relevant to proper documentation in the JD report.
4. Appeals Process: As stated in 33 CFR Part 331, ADMINISTRATIVE APPEALS PROCESS, "The purpose of this regulation is to establish administrative appeals policies and procedures for final Corps of Engineers geographic jurisdictional determinations and permit denials with prejudice. The appeals process will allow

landowners and permit applicants to pursue an administrative appeal of a final Corps of Engineers decision or determination with which they disagree.”

5. Mitigation RGL 02-2: The U.S. Army Corps of Engineers and U.S. Environmental Protection Agency, in conjunction with the Departments of Agriculture, Commerce, Interior, and Transportation, issued a revised Regulatory Guidance Letter on compensatory mitigation (RGL 02-02) on December 24, 2003. This revised Regulatory Guidance Letter provides guidance to improve the success of compensatory mitigation projects and strengthens the commitment of these agencies to achieve the goal of no net loss of wetlands.

To make your reservation for the workshop, please fill out the attached registration form and return it to Mrs. Fraun Knight, USACE, Baltimore District, CENAB-OP-RPA, P.O. Box 1715, Baltimore, Maryland 21203-1715, or fax to her attention at (410) 962-6024. Due to limited seating we are requesting that each company or agency plan to send only one representative. Additional representatives will be placed on a waiting list.

/signed/  
LINDA A. MORRISON  
Chief, Regulatory Branch

# **Pennsylvania Public Information Workshop Registration Form**

**Rachel Carson Building Auditorium (second floor)  
Harrisburg, Pennsylvania  
(No food or drink allowed in auditorium)**

**May 13, 2003  
8:20 a.m. – 1:30 p.m.**

**(Please type or print legibly)**

**(Name) First** \_\_\_\_\_ **M. Initial** \_\_\_\_\_ **Last** \_\_\_\_\_

**Company Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_

**Telephone** (\_\_\_\_\_) \_\_\_\_\_ **Fax** (\_\_\_\_\_) \_\_\_\_\_  
Area code Area Code

**Email Address** \_\_\_\_\_

**PENNSYLVANIA PUBLIC INFORMATION WORKSHOP**  
**Rachel Carson Building, Second Floor Auditorium**  
**May 13, 2003**  
**AGENDA**

(no food or drink is allowed in auditorium)

**Registration** (8:20 – 8:50)

**Opening Remarks** (9:00 - 9:15)

Linda Morrison  
Chief, Regulatory Branch  
Baltimore District

**PASPGP-2** (9:15 – 9:45)

Kelly Heffner  
Chief, Permitting Section  
Division of Waterways, Wetlands  
and Erosion Control, PADEP  
Tom Pluto  
Biologist, Pennsylvania Section

**Questions** (9:45 – 10:00)

**Waters of the U.S./** (10:00 – 10:30)  
**Commonwealth**

Mike Dombroskie/Matt Gall  
Biologists, Pennsylvania Section  
Kelly Heffner  
Chief, Permitting Section  
Division of Waterways, Wetlands  
And Erosion Control, PADEP

**Questions** (10:30 – 10:45)

**Break** (10:45 – 11:00)

**Jurisdictional Determinations** (11:00 – 11:45)

Mike Danko/Amy Elliott  
Biologists, Pennsylvania Section

**Questions** (11:45 – 12:00)

**Appeals Process** (12:00 – 12:15)

Sandy Zelen  
Enforcement Program Manager

**Questions** (12:15 – 12:30)

**Mitigation RGL 02-2** (12:30 – 12:45)

Beth Bachur  
Permit Process Program  
Manager

**General Question and Answer Session** (12:45 – 1:30)